

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TEVA PHARMACEUTICALS USA, INC.,)
TEVA PHARMACEUTICAL INDUSTRIES LTD.,)
and NOVOPHARM, LTD.,)

Counterclaim Plaintiffs,)

v.)

ABBOTT LABORATORIES,)
FOURNIER INDUSTRIE ET SANTÉ, and)
LABORATOIRES FOURNIER S.A.,)

Counterclaim Defendants.)

C.A. No. 02-1512 (SLR)

CONSOLIDATED

IMPAX LABORATORIES, INC.,)

Counterclaim Plaintiff,)

v.)

ABBOTT LABORATORIES,)
FOURNIER INDUSTRIE ET SANTÉ, and)
LABORATOIRES FOURNIER S.A.,)

Counterclaim Defendants.)

C.A. No. 03-120 (SLR)

CONSOLIDATED

IN RE TRICOR DIRECT PURCHASER)
ANTITRUST LITIGATION)

C.A. No. 05-340 (SLR)

THIS DOCUMENT RELATES TO:)
ALL ACTIONS)

CONSOLIDATED

IN RE TRICOR INDIRECT PURCHASER)
ANTITRUST LITIGATION)

C.A. No. 05-360 (SLR)

THIS DOCUMENT RELATES TO:)
ALL ACTIONS)

CONSOLIDATED

**UNOPPOSED MOTION [AND PROPOSED ORDER] FOR REDACTION OF
TRANSCRIPT AND NOTICE OF LODGING OF PUBLIC VERSION OF TRANSCRIPT**

WHEREAS at the hearing on June 27, 2008 on the motions for summary judgment filed in these cases by defendants Abbott and Fournier, the Court permitted the parties to review the transcript following the hearing to determine if it contained confidential information of the parties that they would ask to have redacted from any public version of the transcript (tr. 9-10);

WHEREAS the parties have reviewed the transcript and Teva, Abbott and Fournier have each identified certain information which that party believes in good faith to be its highly confidential information that, if revealed to the public, would cause it competitive harm;

WHEREAS Teva, Abbott and Fournier have prepared a public version of the transcript redacting such information and have lodged that copy with the court reporter who transcribed the hearing;

Pursuant to Fed. R. Civ. P. 26(c) and the Policy On The Electronic Availability Of Transcripts Of Court Proceedings (effective May 17, 2008), and in order to protect their confidential information, Teva, Abbott and Fournier hereby move the Court for an order that:¹

- 1) any publicly available copies of the transcript of the June 27, 2008 hearing in these cases, including but not limited to transcripts that are or will be available by remote electronic access, shall be redacted consistent with the redacted, public copy lodged with the court reporter; and
- 2) the original, unredacted transcript shall remain sealed in accordance with the protective orders entered in these cases.

¹ The other parties to these actions do not oppose this motion.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Mary B. Graham

Mary B. Graham (#2256)
James W. Parrett, Jr. (#4292)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
mgraham@mnat.com

OF COUNSEL:

William F. Cavanaugh, Jr.
Thomas W. Pippert
Rosanne E. Felicello
PATTERSON, BELKNAP, WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036-6710

Attorneys for Abbott Laboratories

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Karen E. Keller

Josy W. Ingersoll (#1088)
John W. Shaw (#3362)
Karen E. Keller (#4489)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19899-0391
(302) 571-6600
kkeller@ycst.com

OF COUNSEL:

David M. Hashmall
Christopher T. Holding
GOODWIN PROCTER LLP
Exchange Place
Boston, MA 02109

*Attorneys for Teva Pharmaceuticals USA, Inc.,
Teva Pharmaceuticals Industries Ltd., and
Novopharm Ltd.*

July 21, 2008

RICHARDS, LAYTON & FINGER, P.A.

/s/ Anne Shea Gaza

Frederick L. Cottrell, III (#2555)
Anne Shea Gaza (#4093)
One Rodney Square
P.O. Box 551
Wilmington, DE 19899
(302) 651-7700
gaza@rlf.com

OF COUNSEL:

William Baer
James Cooper
Anne P. Davis
ARNOLD & PORTER LLP
555 12th Street, N.W.
Washington, DC 20004-1206

Timothy C. Bickham
STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, N.W.
Washington, DC 20036-1795

*Attorneys for Fournier Industrie Et Santé
and Laboratoires Fournier, S.A.*

SO ORDERED this ____ day of _____, 2008.

UNITED STATES DISTRICT JUDGE

2404296

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 21, 2008, the foregoing was caused to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered participants.

In addition, the undersigned hereby certifies that true and correct copies of the foregoing were caused to be served via electronic mail on July 21, 2008 upon the following parties:

REPRESENTING DIRECT PURCHASER CLASS
PLAINTIFFS (LOUISIANA WHOLESALE,
ROCHESTER DRUG, MEIJER)

(C.A. 05-340)

Jeffrey S. Goddess
jgoddess@rmgglaw.com
Bruce E. Gerstein
bgerstein@garwingerstein.com
Barry S. Taus
btaus@garwingerstein.com
Adam M. Steinfeld
asteinfeld@garwingerstein.com
Daniel Berger
danberger@bm.net
Eric L. Cramer
ecramer@bm.net
Peter Kohn
pkohn@bm.net
Linda P. Nussbaum
lnussbaum@kaplanfox.com
Stuart Des Roches
stuart@odrlaw.com

REPRESENTING WALGREEN, ECKERD, KROGER, MAXI

(C.A. 05-340)

Elizabeth M. McGeever
emmcgeever@prickett.com
Scott E. Perwin
sperwin@kennynachwalter.com

REPRESENTING CVS, RITE AID

(C.A. 05-340)

Elizabeth M. McGeever
emmcgeever@prickett.com
Joseph T. Lukens
jlukens@hangley.com
Steve D. Shadowen
sshadowen@hangley.com

REPRESENTING AMERICAN SALES COMPANY INC.

(C.A. 05-340)

REPRESENTING INDIRECT PURCHASER
CLASS PLAINTIFFS

(C.A. 05-360)

Elizabeth M. McGeever

emmcgeever@prickett.com

Scott E. Perwin

sperwin@kennynachwalter.com

A. Zachary Naylor

Pamela S. Tikellis

Thomas M. Sobol

Patrick E. Cafferty

Jeffrey L. Kodroff

Bernard J. Persky

Mike Gottsch

Brian Clobes

Michael Tarringer

Tim Fraser

David Nalven

Greg Matthews

Christopher McDonald

Kellie Safar

Theodore M. Lieverman

Pat Howard

tricor@chimicles.com

REPRESENTING PACIFICARE

(C.A. 05-360)

Jonathan L. Parshall

jonp@msllaw.com

William Christopher Carmody

bcarmody@susmangodfrey.com

Shawn Rabin

srabin@susmangodfrey.com

Justin Nelson

jnelson@susmangodfrey.com

Ken Zylstra

kzylstra@faruqilaw.com

Mark Sandman

mms@rawlingsandassociates.com

Jeffrey Swann

js5@rawlingsandassociates.com

REPRESENTING TEVA PHARMACEUTICALS

(C.A. 02-1512)

Josy W. Ingersoll

Karen E. Keller

Bruce M. Gagala

Christopher T. Holding

Ken Cohen

Elaine Blais

tricor@ycst.com

REPRESENTING IMPAX LABORATORIES

(C.A. 03-120)

REPRESENTING FOURNIER

(ALL CASES)

Mary Matterer
mmatterer@morrisjames.com

Asim Bhansali
abhansali@kvn.com

Frederick L. Cottrell, III

Anne Shea Gaza

William Baer

James Cooper

Anne P. Davis

Timothy C. Bickham

tricolor@rlf.com

/s/ Mary B. Graham

Mary B. Graham (#2256)

520842